



Emergency Management

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Emergency Planning and Community Right-to-Know Act (EPCRA) Hazardous Chemical Storage Reporting Requirements

EPCRA Sections 311-312

For any hazardous chemical used or stored in the workplace, facilities must maintain a material safety data sheet (MSDS), and submit the MSDSs (or a list of the chemicals) to their State Emergency Response Commission (SERC), Local Emergency Planning Committee (LEPC) and local fire department. Facilities must also report an annual inventory of these chemicals by March 1 of each year to their SERC, LEPC and local fire department. The information must be made available to the public.

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What facilities are covered?

Any facility required under Occupational Safety and Health Administration (OSHA) regulations to maintain material safety data sheets (MSDSs) for hazardous chemicals stored or used in the work place. Facilities with chemicals in quantities that equal or exceed the following thresholds must report:

- For Extremely Hazardous Substances (EHSs), either 500 pounds or the Threshold Planning Quantity (TPQ), whichever is lower
- For gasoline (all grades combined) at a retail gas station, the threshold level is 75,000 gallons (or approximately 283,900 liters), if the tank(s) was stored entirely underground and was in compliance at all times during the preceding calendar year with all applicable Underground Storage Tank (UST) requirements at 40 CFR part 280 or requirements of the State UST program approved by the Agency under 40 CFR part 281.
- For diesel fuel (all grades combined) at a retail gas station, the threshold level is 100,000 gallons (or approximately 378,500 liters), if the tank(s) was stored entirely underground and the tank(s) was in compliance at all times during the preceding calendar year with all applicable Underground Storage Tank (UST) requirements at 40 CFR part 280 or requirements of the State UST program approved by the Agency under 40 CFR part 281.
- For all other hazardous chemicals, 10,000 pounds

What is a hazardous chemical?

Hazardous chemicals are any substances for which a facility must maintain a Material Safety

Data Sheet (MSDS) under the OSHA [Hazard Communication Standard](#), which lists the criteria used to identify a hazardous chemical. MSDSs are detailed information sheets that provide data on health hazards and physical hazards of chemicals along with associated protective measures. Over 500,000 products have MSDSs which are normally obtained from the chemical manufacturer.

[Click here for more information on MSDSs.](#) [EXIT Disclaimer](#)

What are facilities required to do?

- Under the Emergency Planning and Community Right-to-Know Act (EPCRA) Section 311, facilities must submit the same MSDSs they maintain for OSHA to their SERC, LEPC, and local fire department. Or, facilities may choose to submit a detailed list of the same chemicals instead. This is a one-time submittal; facilities have three months after becoming subject to the OSHA regulations to submit their material.
- Facilities that need to submit MSDSs or chemical lists under Section 311, also need to submit an annual inventory report for the same chemicals (EPCRA Section 312). This inventory report must be submitted to the SERC, LEPC and local fire department by March 1 of each year.

How do I submit a Tier I or Tier II Inventory Report?

Facilities covered by these requirements must submit an emergency and hazardous chemical inventory form to the LEPC, the SERC and the local fire department annually. Facilities provide either a Tier I or Tier II form. Most States require the Tier II form. Tier II forms require basic facility identification information, employee contact information for both emergencies and non-emergencies, and information about chemicals stored or used at the facility:

- The chemical name or the common name as indicated on the MSDS
- An estimate of the maximum amount of the chemical present at any time during the preceding calendar year and the average daily amount
- A brief description of the manner of storage of the chemical
- The location of the chemical at the facility
- An indication of whether the owner of the facility elects to withhold location information from disclosure to the public

Tier I Reporting

Tier II Reporting Requirements by State and Tier2 Submit Software

Where can I find more information on these requirements?

For more information, see [40 CFR part 370](#) and [EPCRA Policy and Guidance](#).